

# 7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lee et al.

Atty Docket: 78,560

Serial No.: 09/439,311

Examiner: Portner, V.

Filed: November 12, 1999

Group Art Unit: 1645

Title: A Recombinant Polypeptide for Use in the Manufacture of Vaccines Against  
Campylobacter-Induced Diarrhea and to Reduce Colonization

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PETITION FOR CHANGING INVENTOR NAME ORDER

Today's date: December 18, 2001

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D. C. 20231

Sir:

This is a petition under 37 CFR 1.182 requesting a change in the order of  
inventors' names.

The first inventor in this application is Patricia Guerry as listed on the first page of  
the application as originally filed and on the Sequence Listing as originally filed. The order  
of names on the declaration was in error. Kindly correct the order of names in all  
documents to reflect Patricia Guerry as first inventor and Lanfong H. Lee as second joint  
inventor, Edward Burg as third joint inventor, and Trevor J. Trust as fourth joint inventor.

The petition fee required under 37 CFR 1.17(h) is enclosed.

01/08/2002 6TEFFERA 00000134 140595 09439311

02 FC:122 130.00 CH

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: December 18, 2001

*S. Pratt, Reg. No. 39,441*  
for Charles H. Harris, Reg. No. 34,616

Counsel for Intellectual Property  
Naval Medical Research Center  
503 Grant Avenue  
Silver Spring, Maryland 20910

Enclosures

☒ Fee Payment

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

December 18, 2001  
Date

*S. Pratt*  
Signature

Sana A. Pratt, Reg. No. 39,441  
Typed or printed name of person signing Certificate

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Campylobacter-Induced Diarrhea and to Reduce Colonization

\*\*\*\*\*

**PETITION FOR REVIVAL OF APPLICATION**

Today's date: December 18, 2001

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D. C. 20231

Sir:

This is a petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b), 37 CFR 1.155(c) or 1.316(c).

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on March 1, 2001, which set a 1 month period for response. The abandonment date of this application is September 1, 2001 (i.e. the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

1. Petition fee

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))  
☐ Small entity statement enclosed herewith.  
☐ Small entity statement previously filed.  
☒ Other than small entity - fee \$1,280.00 (37 CFR 1.17(m))

2. Proposed response and/or fee

A. The proposed response and fee to the above-noted Office Action in the form of response

- ☐ has been filed previously on \_\_\_\_\_.  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.

3. Verified statement

The delay caused by the abandonment of the application was unintentional.

01/08/2002 GTEFFERA 00000134 140595 09439311

01 FC:141

1280.00 CH

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: December 18, 2001

*S. A. Pratt* Reg. No. 39,441  
for Charles H. Harris, Reg. No. 34,616

Counsel for Intellectual Property  
Naval Medical Research Center  
Silver Spring, Maryland 20910

Enclosures

- ☒ Response
- ☒ Fee Payment
- ☐ Small Entity Status Form
- ☒ Other Petition to Change Order of Inventors' Names

CERTIFICATE OF MAILING

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December 18, 2001  
Date

*S. A. Pratt*  
Signature

Sana A. Pratt, Reg. No. 39,441  
Typed or printed name of person signing Certificate

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL FORM

In re Application of  
LEE et al.

Serial No.: 09/439,311

Filed: November 12, 1999

For: A Recombinant Polypeptide for Use in the Manufacture of  
Vaccines Against Campylobacter-Induced Diarrhea and to Reduce  
Colonization

Examiner: Portner, V.

Group Art Unit : 1645

Atty Docket: 78,560

\*\*\*\*\*

Date: December 18, 2001

Honorable Commissioner of  
Patents and Trademarks  
Washington, D. C. 20231

Sir:

Transmitted for filing herewith are the following items:

[x] Petition for Revival of Application from Unintentional Abandonment \$ 1,280.00

[x] Petition for Changing Inventor Name Order 130.00

[x] Four pages of Response to Office Action dated March 1, 2001

[x] Paper and computer readable form of Sequence Listing

Claims cancelled []: Claims added []: Surcharge \$ 0.00

Independent claims cancelled [], Independent Claims added []  
Surcharge \$ 0.00

Fee required \$1,410.00

Please charge the above fee and any missing or inadequate fee re this paper to  
Deposit Account No. **14-0595** for which purpose a duplicate copy of this sheet is  
attached.

Respectfully submitted,

Counsel for Intellectual Property  
Naval Medical Research Center  
503 Grant Avenue  
Silver Spring, Maryland 20910

*for* *SA Pratt, Reg No. 39,441*  
Charles H. Harris, Reg. No. 34,616

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Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Box DAC, Washington, D.C. 20231, on the  
date of December 18, 2001.

*SA Pratt*  
Sana A. Pratt, Reg. No. 39,441

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